



Form PTO-146

Sheet 1 of 9

Applicant: R. L. Hickman

Serial No.: 10/729,356

Docket No.: 13914.74.1.3

Filing Date: December 5, 2003

Group: 3764

Confirmation No.: 8257

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND HEALTH EQUIPMENT

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A1.	3,602,502	8/31/71	Hamp
_____ A2.	4,112,928	9/12/78	Putsch
_____ A3.	4,151,988	5/1/79	Nabinger
_____ A4.	4,358,105	11/9/82	Sweeney, Jr.
_____ A5.	4,544,152	10/1/85	Taitel
_____ A6.	4,549,044	10/22/85	Durham
_____ A7.	4,571,682	2/18/86	Silverman, et al.
_____ A8.	4,659,074	4/21/87	Taitel, et al.
_____ A9.	4,642,769	2/10/87	Petrofsky
_____ A10.	4,687,195	8/18/87	Potts
_____ A11.	4,842,266	6/27/89	Sweeney, Sr., et al.
_____ A12.	4,848,737	7/18/89	Ehrenfield
_____ A13.	4,927,136	5/22/90	Leask
_____ A14.	4,938,474	07/03/90	Sweeney et al.

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<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A15.	4,949,993	08/21/90	Stark et al.
_____ A16.	4,959,713	9/25/90	Morotomi, et al.
_____ A17.	5,054,774	10/8/91	Belsito
_____ A18.	5,078,152	1/7/92	Bond, et al.
_____ A19.	5,086,385	2/4/92	Launey, et al.
_____ A20.	5,113,427	5/12/92	Ryoichi, et al.
_____ A21.	5,145,475	9/8/92	Cares
_____ A22.	5,195,935	3/23/93	Fencel
_____ A23.	5,308,296	5/3/94	Eckstein
_____ A24.	5,314,391	5/24/94	Potash, et al.
_____ A25.	D348,493	7/5/94	Ashby
_____ A26.	5,328,420	7/12/94	Allen
_____ A27.	5,328,422	7/12/94	Nichols
_____ A28.	5,352,166	10/4/94	Chang
_____ A29.	5,382,209	1/17/95	Pasier, et al.
_____ A30.	5,387,164	2/7/95	Brown, Jr.

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_____ A31.	5,433,679	7/18/95	Szymczak, et al.
_____ A32.	5,462,051	10/31/95	Oka, et al.
_____ A33.	5,535,664	7/16/96	Rokowski
_____ A34.	5,600,310	2/4/97	Whipple, III, et al.
_____ A35.	5,619,412	4/8/97	Hapka
_____ A36.	5,619,991	4/15/97	Sloane
_____ A37.	5,626,539	5/6/97	Piaget, et al.
_____ A38.	5,697,834	12/16/97	Heumann, et al.
_____ A39.	5,720,771	2/24/98	Snell
_____ A40.	5,722,418	3/3/98	Bro
_____ A41.	5,738,612	4/14/98	Tsuda
_____ A42.	5,743,833	4/28/98	Watterson, et al.
_____ A43.	5,749,372	5/12/98	Allen, et al.
_____ A44.	5,752,897	5/19/98	Skowronski, et al.
_____ A45.	5,759,199	6/2/98	Snell, et al.
_____ A46.	5,785,630	07/28/98	Bobick et al.

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_____ A47.	5,810,696	9/22/98	Webb
_____ A48.	5,845,230	12/1/98	Lamberson
_____ A49.	5,857,939	1/12/99	Kaufman
_____ A50.	5,865,733	2/2/99	Malinouskas, et al.
_____ A51.	5,873,369	2/23/99	Lanaido, et al.
_____ A52.	5,880,677	3/9/99	Lestician
_____ A53.	5,890,995	4/6/99	Bobick, et al
_____ A54.	5,911,132	6/8/99	Sloane
_____ A55.	5,911,687	6/15/99	Sato, et al.
_____ A56.	5,917,405	6/29/99	Joao
_____ A57.	5,929,748	7/27/99	Odinak
_____ A58.	5,929,782	7/27/99	Stark
_____ A59.	5,931,763	8/3/99	Alessandri
_____ A60.	5,947,869	9/7/99	Shea
_____ A61.	5,961,561	10/5/99	Wakefield, II
_____ A62.	5,964,701	10/12/99	Asada, et al.

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_____ A63.	5,967,975	10/19/99	Ridgeway
_____ A64.	5,995,868	11/30/99	Dorfmeister, et al.
_____ A65.	6,010,451	1/4/00	Clawson
_____ A66.	6,013,007	1/11/00	Root, et al.
_____ A67.	6,033,344	3/7/00	Trulaske, et al.
_____ A68.	6,050,822	4/18/00	Faughn
_____ A69.	6,053,737	4/25/00	Babbitt, et al.
_____ A70.	6,059,692	5/9/00	Hickman
_____ A71.	6,132,337	10/17/00	Krupka, et al.
_____ A72.	6,152,854	11/28/00	Carmein
_____ A73.	6,162,189	12/19/00	Girone et al.
_____ A74.	6,193,631	2/27/01	Hickman
_____ A75.	6,211,451	4/3/01	Tohgi, et al.
_____ A76.	6,231,481	5/15/01	Brock
_____ A77.	6,231,482	5/15/01	Thompson
_____ A78.	6,244,988	06/12/01	Delman

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_____ A79.	6,251,048	6/26/01	Kaufman
_____ A80.	6,358,187	3/19/02	Smith
_____ A81.	6,450,922	09/17/02	Henderson et al.
_____ A82.	6,464,618	10/15/02	Shea
_____ A83.	6,475,115	11/5/02	Candito, et al.
_____ A84.	6,582,342	6/24/03	Kaufman, et al.
_____ A85.	6,585,622	07/01/03	Shum et al.
_____ A86.	6,634,992	10/21/03	Ogawa
_____ A87.	6,638,198	10/28/03	Shea
_____ A88.	6,736,759	05/18/04	Stubbs et al.
_____ A89.	6,749,537	06/15/04	Hickman
_____ A90.	6,808,472	10/26/04	Hickman

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
_____ A91.	WO 98/32496	7/30/98	PCT	

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Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

- _____ A92. *The FitLinxx Interactive Fitness Network™, Integrated Fitness Corp., brochure, 1998.*
- _____ A93. *Fitlinxx Interactive Fitness Network™, The Difference Between Surviving and Thriving May be as Simple as FitLinxx™, Integrated Fitness Corp., brochure, 1998.*
- _____ A94. *Forbes.com: Sweat equity, www.forbes.com, February 1998.*
- _____ A95. *Netpulse, Networkingout--Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once, www.netpulse.com, April 1998.*
- _____ A96. *Netpulse, Instead of having an equipment repair technician traveling over hill and dale, you may soon have equipment repaired via the internet, www.netpulse.com, July 1998.*
- _____ A97. *Netpulse, Infotech is supposed to make life easier-remember? Here's how to be sure it does., www.netpulse.com, August 1998.*
- _____ A98. *Netpulse, Exercise station connects to the Net, Now you can sweat to the Net., www.netpulse.com, September 1998.*
- _____ A99. *Netpulse, New Fitness Equipment Combines Internet, Sweat, Now you can surf and sweat, www.netpulse.com, January 1999.*
-

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- _____ A100. Netpulse, Hop In, Log On and Sweat, *Netpulse exercise machines are the latest Web feat*, www.netpulse.com, February 1999.
- _____ A101. Netpulse ClubWatch™, *Internet Powered Service*, brochure, April 1999.
- _____ A102. Netpulse, *State of the Art*, www.netpulse.com, February 2000.
- _____ A103. Netpulse, *Netpulse Files for Patents on its Pioneering Technology Inventions and Groundbreaking Business Methods in the Media and Fitness Markets*, www.netpulse.com, May 2000.
- _____ A104. Forbes, Digital Tool: Startups, *Sweat.equity*, www.forbes.com, June 2000.
- _____ A105. *Exergaming*, en.wikipedia.org, printed October 1, 2007 (4 pages).
- _____ A106. *WIRED*, www.wired.com, issue 2.09, September 1994 (4 pages).
- _____ A107. "Defendant's Amended Invalidity Contentions," Case No. 2:05-cv-527, signed by Kirk Harris on March 16, 2007 (15 pages).
- _____ A108. "Expert Report of Dr. Brent Nelson Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B)," dated March 13, 2007 (372 pages).

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation

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of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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